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SUMMARY RECORD OF THE 734th MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 2 October 2001, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Qatar (continued) (CRC/C/51/Add.5; CRC/C/Q/QAT/1 (list of issues); written replies of the Government of Qatar to the questions in the list of issues (document without a symbol, distributed in the meeting room in Arabic and English))

1. At the invitation of the Chairperson, the members of the delegation of Qatar resumed places at the Committee table.

2. Mr. ALANSARI (Qatar) said that, under the draft Personal Status Bill, when a parent or guardian was deprived of custody of the child the judge was entitled to assign custody to the member of the child's family deemed to be most capable. The decision was taken after an in-depth study of the individual case by the judge and officials of the Department of Social Affairs and the Ministry of the Interior. The Department of Social Affairs could deprive the entire family of custody if it was ascertained that there was no person worthy of guardianship in the family.

3. There was no contradiction between the Constitution and the general principles of Islamic law. Indeed, the Constitution cited Islamic law as an important basic principle and precept. If any contradictions were to arise, it would not be between the Constitution and Islamic law per se, but rather between interpretations thereof, or between customs and traditions. For example, Islamic law had no provisions directly relating to the right of women to drive vehicles, and customs and interpretations in different countries varied on that point. On the other hand, the rules pertaining to inheritance were clearly spelled out in Islamic law. Differences in the treatment of men and women in that regard were limited to very specific instances, and did not reflect gender preference but a division of responsibilities. Men were thus obliged financially to support their wives and sisters. International human rights agreements recognized such differentiated treatment, provided it was based on objective considerations. For example, the Human Rights Committee had recognized that the right to equality did not necessarily mean that individuals were entitled to equal treatment in all cases.

4. Sheikh K. AL-THANI (Qatar) said that Qatar was a party to the Convention on the Elimination of All Forms of Racial Discrimination, and that Islamic law prohibited any discrimination based upon nationality or race. The Qatari Nationality Act dated from 1961, and did not provide for the possibility of citizenship for the children of Qatari mothers and foreign fathers because such cases had been extremely rare at the time. A standing committee on naturalization had recently been established, and would address such issues in due course.

5. Mr. ALSADA (Qatar) said that the Juveniles Act addressed questions related to minors, and that specialized courts and plain-clothes police existed for youth. Any minor who was arrested had the right to have a lawyer present during interrogation. A person under 16 years of age who committed an offence could not be sentenced to life imprisonment, the death penalty or flogging, and the sentences applicable were one-half of the corresponding penalties for adults.

6. Persons found guilty of carrying out violent acts against minors or of inciting minors to delinquent behaviour faced a penalty of six months' to three years' imprisonment or a fine of 3,000 riyals. The penalties were combined and made more severe if the person in question was directly responsible for the minor's welfare, in particular if the child was not in a position to oppose such actions. The Juveniles Act had been adopted in 1994, and its provisions were in line with international standards. Under Qatari law, any person under 18 was considered to be a minor.

7. Mr. ALJANAHI (Qatar) said that primary health care was provided for a nominal fee without discrimination as to nationality, and that all vaccines were provided free of charge.

8. Ms. ALSHEIKH (Qatar) said that no distinction was made in Qatari schools between nationals and non-nationals, and that all children were entitled to free education. In addition, each community had the right to establish its own schools, and the State facilitated such endeavours, for example by providing land and other facilities. There was no discrimination between boys and girls when it came to enrolment in school. The number of girls enrolled often exceeded the number of boys.

9. Referring to the lack of technical, management and commercial courses currently available to girls, she said that during the economic boom of the 1980s there had been very little demand for such courses because they had not been of interest to students. As times had changed and the curriculum had been brought up to date, demand had once again increased. The courses had resumed first at a vocational and technical school for boys, and would soon resume for girls as well.

10. Corrected statistics of enrolment in public and private schools had been circulated to the Committee members, and demonstrated that the numbers of girls and boys enrolled in school were nearly equal. While she had no specific information regarding enrolment in rural areas, education was compulsory and free and the same curricula were used in urban and rural areas and in boys' and girls' schools.

11. Mr. ALOGAILI (Qatar) said that a meeting of doctors recently held to discuss the consequences of consanguineous marriage had concluded that such marriages should be discouraged, particularly in cases where hereditary problems were likely to result. Religious leaders had been asked to join in that effort. A committee had been established to encourage family planning, and a family planning centre would soon be opened with specialized staff. Children who lost their fathers were considered to be orphans but those who lost their mothers were not, simply because it was the father who was financially responsible for the children and for meeting the family's needs.

12. Ms. ALMALKI (Qatar) said that because Arab culture did not traditionally enable children to express themselves freely, efforts had been made through the mass media and other channels to encourage families to respect their children's right to be heard. Talks on that subject had been held at youth clubs and youth centres and by various non-governmental organizations (NGOs).

13. Because of Qatar's traditional social structure, family disputes were hardly ever brought to court unless they took on extremely large proportions. Structures existed to deal with such cases, and the main objective of their intervention was to secure reconciliation and to avoid divorce.

14. Mr. AL-SHEDDI requested information about educational facilities. Noting that pre-school education was exclusively private, and that the number of children enrolled in it was low, he asked whether the Government had made any efforts to expand pre-school education. What guidance was provided to students at the primary, intermediary and secondary levels? The Committee was interested to learn how the school curricula were drawn up, and by whom.

15. Were there any laws prohibiting corporal punishment in schools and in the home or practical programmes to combat it? According to the report, juveniles were not permitted to work without special permission from the Minister for Civil Service Affairs, which implied that employment was indeed sometimes authorized. The report did not, however, mention the age limits and other conditions which applied.

16. Ms. OUEDRAOGO expressed concern about the easy access by children in Qatar to media depicting violence and pornography and to unregulated video clubs. She would like to know whether the sale of video cassettes was regulated to protect children from unsuitable material.

17. With regard to health questions, she wished to know whether the Government had taken any steps to determine the causes of poor nutrition among the under-fives and to promote good eating habits. Given the low breastfeeding rate, did it have a programme to encourage more mothers to breastfeed their babies? Had Qatar adopted the International Code for Marketing of Breastmilk Substitutes? She would appreciate an explanation for the higher than normal percentage of babies weighing under 2.5 kg at birth. She asked whether there was any clash between the Government's family planning programme and people's religious beliefs, noting that a series of closely spaced births could lead to anaemia in pregnant women. While the Government should be congratulated for greatly limiting and even reducing the number of cases of AIDS in Qatar, she would be interested to know more about its programmes to teach young people about the disease and how to avoid it. She recognized that female circumcision was not normally practised in Qatar, but was concerned that some of the many foreigners living there might practise it. She would like to know what the Government was doing to help young people with mental health problems and to care for severely disabled children who were unable to attend school and for whom there appeared to be no specialized institutions.

18. With regard to education, she welcomed the initiative to invite parents to spend a day in school, and wondered whether the practice was a regular feature of school life. She would like to know whether the experiment with new child-centred teaching methods had been successful and whether there were any plans to extend them to all schools, including denominational schools.

19. She expressed concern about reports that foreign children were smuggled into Qatar to ride in camel races and said she would welcome information on the extent of the problem and the impact on the health of the children concerned. The use of children in the races was surely prohibited by the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999 (No. 182), which she believed Qatar had ratified.

20. She was also concerned about reports of sexual exploitation of children, and would welcome any information the delegation could provide on that subject.

21. Ms. CHUTIKUL said she would like to know why no girls appeared to be interested in studying technical subjects, assuming they were allowed to do so. Was it because there was no employment for them in jobs requiring technical skills? She welcomed the establishment of the centre for gifted children, adding that she hoped it was attended by girls as well as boys. She would appreciate information on educational arrangements for mentally retarded children and other children with special needs, and would like to know whether the private sector was likely to continue being the sole provider of pre-school education. Noting that there was often a conflict between the ideal and the practice of children's rights education when some of the rights were in conflict with local customs, she asked whether there had been resistance to accepting any of the rights set forth in the Convention.

22. Mr. CITARELLA said that the widest possible dissemination of the Convention was one of the major objectives of the signatories to it, but misunderstandings or confusion were likely to arise when it was disseminated in countries following Islamic law, as parts of the Convention would appear to contradict some of the principles of shariah. Had the Government taken any steps to avoid that problem?

23. Qatar obviously had a very good school system, but it was not clear whether it conformed to the principles of the Convention, as it appeared to be free only to Qatari children and primary education was apparently not compulsory.

24. More information should be provided on the Juveniles Act No. 1 of 1994. The reference to it in paragraph 57 of Qatar's report (CRC/C/51/Add.5) suggested that it covered only juveniles under the age of 14 who had criminal problems, while the list in paragraph 79 (a) included a puzzling reference to juveniles' "lack of a legitimate means of livelihood or reliable source of support" as a factor putting them "at risk of delinquency"; juveniles' inability to support themselves could hardly be considered an offence. Qatari law also seemed to differentiate between juveniles up to the age of 14 and those aged between 14 and 16, with children over the age of 16 being treated as adults. Thus, the information in paragraph 166 on reduced punishments for juveniles who committed felonies punishable by death or life imprisonment did not appear to rule out the possibility that a child over the age of 16 could be sentenced to death.

25. Ms. TIGERSTEDT-TÄHTELÄ recalled that article 2 of the Convention required States parties to respect and ensure the rights of each child in their jurisdiction "without discrimination of any kind". The Committee interpreted that as meaning that States parties had to treat each child in an equivalent but not necessarily uniform manner; they could, for instance, take proactive measures to help girls or children belonging to minorities provided that the underlying objective was a fair outcome and that the measures served the best interests of the child.

26. The CHAIRPERSON, speaking as a member of the Committee, said that he was concerned that child abuse and neglect was covered in just a few lines in Qatar's report (para. 73). He would appreciate details on what precisely the Ministry of the Interior did when a child phoned its hotline and what action it took if the child's complaint was well founded.

27. He would like to know what society's attitude was towards unmarried pregnant women, as it appeared that the father of a child born out of wedlock was under no obligation to pay maintenance for his child, unlike the father of a legitimate child. He considered that to be a form of discrimination: all children should be entitled to support from their father.

28. He asked whether the ordinances regulating camel-racing in terms of safety on the track, which, according to the additional information provided by Qatar, were being implemented by the Committee on Maternity and the Child, had been enforced or had encountered any obstacles.

29. On the question of juvenile justice, it was not clear from the figures provided in the additional information whether every child suspected of an offence was taken to court or whether a public prosecutor was able to deal with some offences before they reached the court. It was also unclear what kind of measure was referred to by "compulsory fulfilment of specific obligations" (para. 57 (d) of the report), which was applicable to children under 14 years of age; was it perhaps similar to community service?

30. Lastly, given the very high proportion of foreigners living in Qatar, he was surprised to see that interpreters were not provided free of charge to children in conflict with the law.

The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.

31. Mr. AL JANAHI (Qatar), replying to health-related questions, said that low birth weights were often due to in vitro fertility practices, which in many cases led to multiple births. Studies on children under the age of five had shown that boys and girls were equally affected by nutrition-related health problems. He agreed with Ms. Ouedraogo that anaemia in pregnancy was often due to the close spacing of births. Hospitals and clinics were carrying out research to find solutions to the medical problems resulting from closely spaced births, while efforts were being made in maternity clinics to alert women to the disadvantages of having children very quickly one after the other. Breastfeeding was on the decline in Qatar, where breastfeeding rates in the first and second years of life were already below the international average, but an information campaign on the benefits of breastfeeding was being pursued in clinics and hospitals, where advertising for infant formula was banned. Also, under a recently adopted decree law, mothers working in the civil service were entitled to maternity leave in order to breastfeed their child.

32. On the issue of family planning, there had been a significant increase in recent years in the use of contraceptives among married women. The fertility rate among girls aged 15 to 19 had dropped significantly because girls were increasingly interested in pursuing their studies or careers and the tendency was to marry later. Pre- and post-natal care for pregnant women was provided free of charge in maternity hospitals and health centres, and maternal health education programmes had been introduced at some schools and health centres.

33. Sexually transmitted diseases (STDs) were not widespread in Qatar because of traditional attitudes, and no statistics were available. Only six children had been diagnosed with AIDS in recent years; three had died and the remaining three were receiving special care. Nevertheless, measures were being taken in some hospitals and health centres to ensure that adolescents had access to information relating to STDs and HIV/AIDS prevention. Female genital mutilation was not practiced in Qatar. On the issue of suicide, only one case had been recorded in recent years, and the victim had not been a national of Qatar.

34. Ms. ALSHFIKH (Qatar) said that, according to a League of Arab States agreement, kindergartens did not form part of the school system, and therefore many were privately owned. However, the Ministry of Education had been paying increasing attention to kindergartens and pilot schemes were being implemented to integrate them into primary schools. Experts had prepared a pre-school programme and specialized teachers were being trained. Each public kindergarten had a Government-appointed female director and received a government subsidy, as well as being exempt from paying water and electricity charges.

35. The Ministry of Education was also taking measures to ensure that adolescents had access to child-sensitive counselling and guidance in schools, provided by teachers. Social workers were also available to liaise between young people and their families or teachers if necessary. Grants were given to schools to help students with financial difficulties. With regard to sex education in schools, the Government had carried out research in order to prepare an appropriate programme. Some aspects of sex education were already included in school curricula, for example in biology classes. On the subject of gender discrimination at schools, she emphasized that all subjects were available to both boys and girls.

36. Corporal punishment in schools was strictly prohibited. Any teacher found guilty of administering corporal punishment would face punitive measures, which might include dismissal. Replying to a question about the style of teaching used in schools in Qatar, she said that pilot schemes were under way to modernize traditional teaching methods. Teachers were provided with continuous training. The Ministry of Education planned to provide well-stocked libraries and computers for schoolchildren at every stage of their education, to encourage self-education. Arabic conversation groups were formed in schools and reading hours were allotted followed by discussions to provide pupils with every opportunity to express their views. Some schools organized open days to encourage parent-teacher dialogue and to strengthen the relationship between home education and school education. A centre for gifted children had been established in 2000, and it was hoped that the centre would help other educational institutions to design programmes for gifted children. Specialized teachers were being trained in that field.

37. Mr. ALJANAHI (Qatar), replying to a question about children with special needs, acknowledged that the level of care provided for disabled children could be improved. However, both governmental and non-governmental organizations were working to improve the situation, and a health association had been created to provide assistance to disabled children. The Ministry of Education had opened some special schools for disabled children, although efforts were being made to promote their integration into mainstream schools. The Government was facing resistance from some parents, however, who refused to send their children to schools with disabled children. A Committee for Special Needs had been created which had opened seven

care centres, raised funds, launched awareness campaigns and organized a week-long seminar in 2000 on the issue of disabled children. Mothers were specifically targeted by awareness campaigns because they were largely responsible for childcare. Other Gulf countries had given Qatar a great deal of support in their awareness-raising activities, and experts from Belgium and the United States had also contributed. Concerning whether the centres for children with special needs provided both day care and residential care, he explained that it was preferable for children to remain with their families unless medical treatment was needed, in which case hospital beds were available.

38. Measures were being taken to reduce cases of babies being born with malformations. A set of guidelines had been prepared, for example, to inform doctors of the risks of using forceps during childbirth, and seminars had been organized for medical professionals so that views could be exchanged and solutions could be found.

39. Mr. ALSADA (Qatar), replying to a question about the juvenile justice system, said that interpreters were provided free of charge during inquiries and in courts. However, efforts were made to settle cases involving juveniles before they were brought to court. He stressed that juveniles at risk of delinquency were seen as children in need of special protection rather than criminals and that the Government attached great importance to helping them. Guidance was provided by social workers to children experiencing behavioural difficulties in an attempt to find an appropriate solution before more extreme measures were necessary. In some cases, children were sent to special centres for children at risk of becoming delinquents. It was true that a child over 14 could be sentenced to 10 years' imprisonment, but the sentence was often reduced by half, depending on the child's conduct in prison. Efforts were made to rehabilitate juvenile delinquents, who were obliged to attend a series of follow-up meetings so that their progress could be monitored.

40. Sheikh K. AL-THANI (Qatar) said that addressing the sensitive issue of the involvement of children in camel racing was a priority for the Government. Camel racing was a traditional sport and it was true that children were involved, but there were very strict rules governing their participation and a body had been created to monitor compliance with those rules. The Supreme Council for Family Affairs had implemented measures to protect the children involved and further measures would be introduced to increase the minimum age of jockeys. The Government of Qatar was keen to introduce a law that would be applied in all Gulf countries to standardize the rules regarding the involvement of children in camel racing. Measures should also be taken at international level to prevent cases of trafficking of children for the races.

41. Mr. AL-KHALIFA (Qatar), replying to a question about child labour, said that article 5 of the Labour Act prohibited the employment of children under 15 in any kind of work, in keeping with article 32 of the Convention and the ILO Minimum Age Convention, 1973 (No. 138). To his knowledge, Qatar did not have a problem with child labour.

42. Concerning protection of children from harmful audio-visual material, he said that Internet sites were controlled and access to pornographic material blocked. A broadcasting committee monitored the situation and had even conducted a survey in that regard; all enterprises

which sold such cassettes were currently under investigation. In addition, strict control measures were in place at airports and border entry and customs points; youth clubs were closely monitored to ensure that young people were not exposed to harmful material.

43. Sheikh F. AL-THANI (Qatar) replying to Mr. Citarella's question about a possible conflict between the Convention and the Islamic shariah, said that Qatar's reservations to the Convention did not prevent it from disseminating the Convention, in particular through the mass media and seminars, as did other States parties that had issued reservations. Generally speaking, there was no contradiction between the provisions of the Convention and Islamic shariah law, as he himself had come to realize after careful study of both texts. Indeed, as a result of the Committee's efforts to promote a common understanding of the Convention and to reassure States that cultural differences had been duly taken into account therein, many countries had reviewed their reservations, even with regard to the shariah; he encouraged the Committee to pursue those efforts.

44. Mr. ALANSARI (Qatar) said that sign language interpreters were provided in court cases free of charge. Regarding unmarried mothers, a father whose identity was known and who accepted paternity would be requested to marry the woman. However, if the identity of the father was unknown, a Qatari mother could choose a name for the child, who would be granted Qatari nationality once the necessary procedures had been completed.

45. Mr. ALOGAILI (Qatar) said that the helpline was a new project that was not yet operational but which would involve health professionals from various disciplines and from several ministries, including the Ministry of the Interior, which had already pledged its support. In fact, a commission had been set up by the Ministry of Public Health, under the direct supervision of the Supreme Council for Family Affairs, to study the modalities of the helpline, and discussions had already started with possible beneficiary families. However, specific details had not yet been worked out.

46. Ms. ALMALKI (Qatar), replying to a question about the dissemination of the Convention, said that some of its articles posed difficulties for some parents, who felt that their parental authority would be threatened. The Qatari authorities had been at pains to explain that the Convention's provisions protected and guaranteed not only the rights of the child but those of the family as a whole, and that the Convention prohibited corporal punishment because other more effective means of punishment existed. However, seminars would be held to sensitize public opinion about corporal punishment.

47. Mr. AL-SHEDDI said he wished to clarify two points: first, the League of Arab States agreement concerning kindergartens had been aimed at facilitating the integration of children from one Arab State into the education system of another Arab State. Second, the trend in special education worldwide was to integrate special-needs children into regular schools, while catering for their particular needs. That approach was geared towards building self-confidence among special-needs children by providing them with education on an equal footing with other children, rather than avoiding social embarrassment for the family. Was the trend in Qatar towards integrating children with special needs into mainstream schools, or setting up separate, special schools for them?

48. Mr. ALOGAILI (Qatar) said that the authorities were not opposed to the integration of children with special needs into ordinary schools and every effort was being made in that direction, with certain measures already in place. The spouse of the Emir of Qatar had contributed significantly to raising public awareness of the needs of disabled children. However, the integration of severely disabled children was difficult. The State party would begin with what was feasible in its own context, having learned from the experiences of other countries, and ultimately move towards full integration accompanied by the necessary infrastructure.

49. Ms. OUEDRAOGO asked for further information about adolescents and smoking and drug abuse.

50. Mr. ALSADA (Qatar) said that he did not recall a single case of youths involved in drug addiction having taken place during his term of service in the police force, but there had been cases of tobacco dependency. However, all the relevant authorities, including the Ministries of Education and Public Health, were doing their best to combat that scourge, and the Ministry of Trade and Commerce had banned the sale of cigarettes to children under 16.

51. The CHAIRPERSON invited the Committee to make some preliminary concluding observations.

52. Mr. AL-SHEDDI commended the delegation on its high-level composition and expressed satisfaction with the frank and open dialogue it had maintained with the Committee. He expressed the hope the State party would remove its reservations to the Convention in the near future and pointed out that there were still some provisions which remained to be fully implemented. Attention should be focused on the national strategy for children, which must be a priority for the Supreme Council for Families, and the data base on children, which was one of the main instruments for ensuring the provision of adequate services for children. There was also a need to classify bodies working in the field of children's rights. The Committee would welcome the enactment of legislation relating to all matters concerning children, including education, health and juvenile delinquency.

53. Another welcome step was the "Yes to Children" campaign, and the State party was encouraged to take other initiatives of that type; the State party was also encouraged to accelerate the ratification of other relevant conventions and protocols and to publicize and disseminate widely its report and the Committee's recommendations. Society in general and parents in particular should be made aware of the existence of services for children and of children's rights and that recognition of those rights did not diminish the rights of parents.

54. Sheikha H. AL-THANI (Qatar) said that her delegation had been enriched by its discussion with the Committee, whose comments and recommendations would be taken into account in the State party's future actions.

The meeting rose at 5.50 p.m.